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**OFFICE OF PETITIONS**

In re Patent No. 5,915,641  
Issue Date: June 29, 1999  
Application No. 08/325,549  
Filed: October 18, 1994  
Patentee: Daniel A. Barberg

LETTER

This is in response to a communication filed December 7, 2011, including a surcharge under 37 CFR 1.20(h).

A review of the record indicates that this patent expired on June 29, 2007 for a failure to pay the second maintenance fee. On June 22, 2009, using a Certificate of Mailing under 37 CFR 1.8(a) dated June 16, 2009, a petition under the provisions of 37 CFR 1.378(c) was filed. On May 24, 2011, petitioner submitted the fee required for the 11 ½ year maintenance and apparently discovered that, since there was no decision on the petition filed June 22, 2009, the patent remained expired. On May 31, 2011, a copy of the petition was filed and the patent was reinstated by a decision mailed June 30, 2011.

Since the 11 ½ year maintenance fee was paid during the grace period on May 24, 2011, (the maintenance fee could have been paid June 29, 2010 through December 29, 2010 without a surcharge and December 30, 2010 through June 29, 2011 with a surcharge) a surcharge was required. Receipt is acknowledged of the requisite surcharge on December 7, 2011. Finance records will be updated accordingly.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

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